TOWN AND COUNTRY PLANNING ACT 1990

ASHFORD BOROUGH COUNCIL
TREE PRESERVATION ORDER NO. 12,2018
Development land and woodland adjacent to Elite, Hornash Lane, Shadoxhurst, Ashford TN26 1HU

Ashford Borough Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order:-

Citation

1. This Order may be cited as Ashford Borough Council Tree Preservation Order No 12,2018 - Development land and woodland adjacent to Elite, Hornash Lane, Shadoxhurst, Ashford TN26 1HU

Interpretation

2. (1) In this Order "the authority" means Ashford Borough Council.

(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

Effect

3. (1) Subject to regulation 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall -

(a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or

(b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 21 August 2018

THE COMMON SEAL OF ASHFORD BOROUGH COUNCIL

was affixed to this Order in the presence of -

Mayor Jessamy Blanford

Solicitor JGill

SCHEDULE

SPECIFICATION OF TREES

Trees specified individually
(encircled in black on the map)

Reference on map	Description	Situation
T1	English Oak	On northern boundary of site adjacent to Hornash Lane
T2	English Oak	Adjoining western boundary of 'Wood Pasture' to north-east of site
T3	English Oak	To rear of site close to building
T4	English Oak	To rear of site close to building
T5	English Oak	To rear of site behind buildings, forward of the 'Woodland' strip

Trees specified by reference to an area
(within a dotted black line on the map)

Reference on map	Description	Situation

None

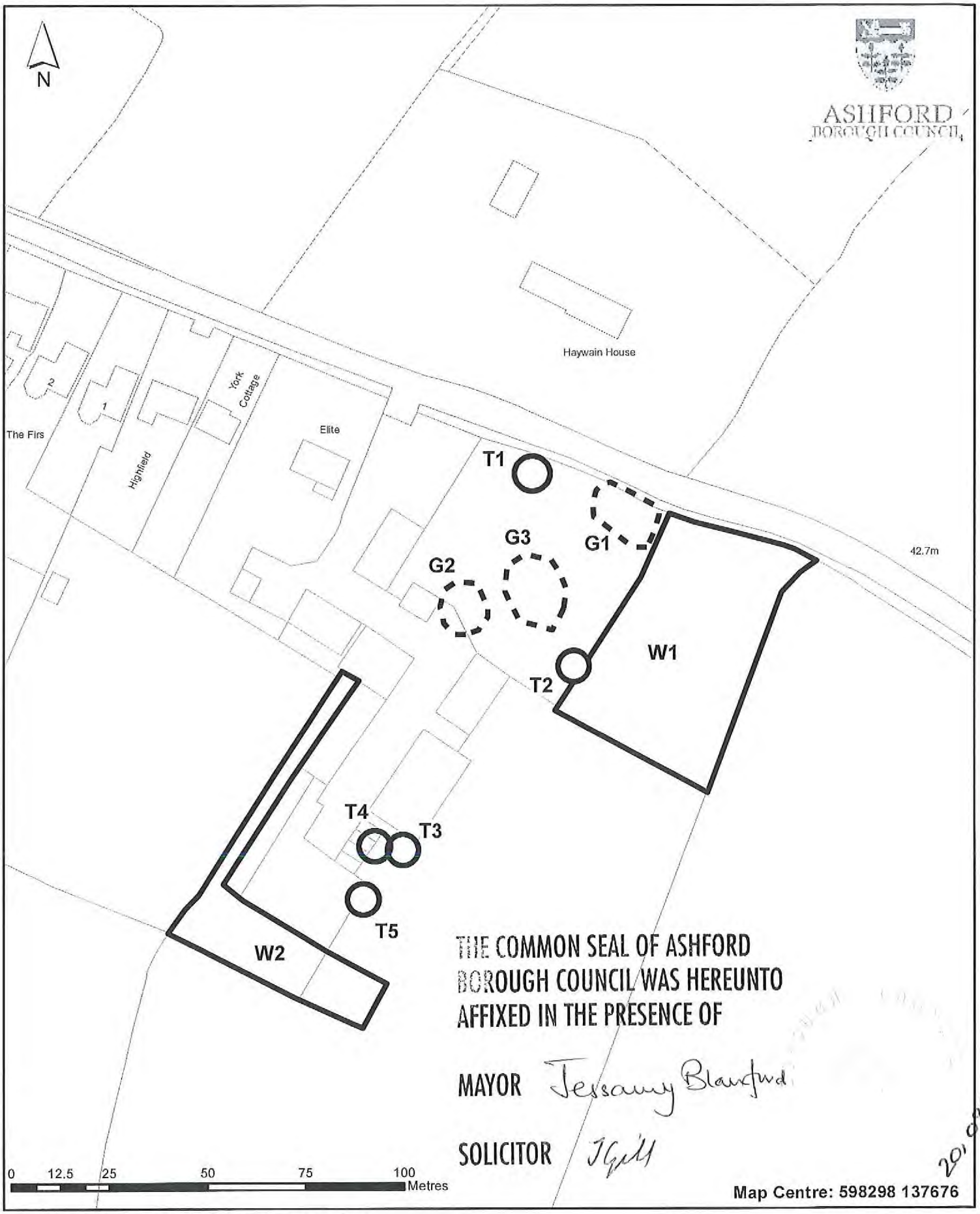
Groups of trees
(within a broken black line on the map)

Reference on map	Description	Situation
G1	5 no English Oak	On northern boundary of site adjacent to Hornash Lane
G2	3 no English Oak	To front of site close to existing buildings

G3	3 no English Oak	To front of site between Hornash Lane and buildings

Woodlands
(within a continuous black line on the map)

Reference on map	**Description**	**Situation**
W1	Wood Pasture comprising Oak, Hornbeam, Leylandii, Holly	To north east of site adjoining Hornash Lane
W2	Woodland comprising Oak, Hornbeam, Holly, Ash	Strip along southern boundary and part of the western boundary of the site



ASHFORD BOROUGH COUNCIL

TREE PRESERVATION ORDER NO 12, 2018

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August 2018 Scale: 1:1250

Planning and Development
Civic Centre
Tannery Lane
Ashford
Kent
TN23 1PL